

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.



**GOBIERNO DE PUERTO RICO**  
**Negociado de la Policía de Puerto Rico**



[Government of Puerto Rico]  
 [Puerto Rico Police Bureau]

**PROTOCOL**

<b>Chapter:</b> N/A	<b>Section:</b> N/A	<b>Date of effectiveness:</b>
<b>Title: Promotions Protocol for Ranks of Inspector to Colonel</b>		
<b>Biennial Review:</b>	<b>No. of Pages:</b>	

**I. Purpose**

This protocol has the purpose of reviewing the existing system of selection of the Ranks from Inspector to Colonel in the Puerto Rico Police Bureau (PRPB). With this the intention is to establish requirements and clear guidelines to promote officers based on objective criteria that take into account the knowledge, skills, and abilities to perform the essential duties of management, supervision, and leadership.

**II. Legal Basis**

- A. Public Law 20 of April 10, 2017, as amended known as the “Puerto Rico Department of Public Safety Act.”
- B. Agreement for the Sustainable Reform of the Puerto Rico Police Department, United States of America vs. Commonwealth of Puerto Rico and Puerto Rico Police, No. 3:12-cv-2039 (GAG).

**III. Authority to carry out Promotions**

- A. The promotions of ranks Inspector to Colonel in the PRPB are a responsibility given to the Commissioner, according to what Article 2.11 of Public Law 20-2017 states, mentioned above, through which this Promotions Protocol is adopted for Ranks from Inspector to Colonel.
- B. All the promotions for ranks Inspector to Colonel will be governed by this Protocol.
- C. The selection and promotion of ranks of Sargent, Second Lieutenant, First Lieutenant, and Captain, will be done according to merit and subject to passing tests.

**IV. Principles**

This Protocol provides the principles of support, standards of service, policies, tasks, rules, and steps that govern the work required to support the selection of personnel to the rank of Inspector to Colonel in the PRPB. This policy supports the objectives of the

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

promotions system of the high ranking officers from Inspector to Colonel, which includes promoting the best qualified candidates for the consideration of the Inspector rank to Colonel. It also acknowledges the professional development based in the recognition of potential of an officer to occupy positions of greater responsibility. With this the intention is to identify the officers that better qualify for promotions from supervisory ranks and those officers that are not eligible or are disqualified, thus providing a system that is fair for all the high ranking officers of the PRPB.

## **V. Norms and Procedures**

### **A. Responsibilities**

1. The Commissioner of the PRPB is the officer to whom Public Law 20-2017, mentioned above, gives the task of regulating the issues related to the promotions of the PRPB. In turn, the Secretary of the DPS is the officer in whom said Law delegates the hierarchal authority, management, and immediate supervision, not only the Department, rather that it includes the assigned Bureaus.
2. Unless the opposite is specified in this policy, the Administration Assistant Secretary of the DPS and the Human Resources and Labor Relations Executive Director of the DPS are the officers responsible to perform the authority of human resources and intervene in the personnel process of the PRPB. In accordance to this, all regulation, orders, or protocols enacted by the Commissioner of the PRPB, in the performance of the authority delegated to carry out the subject of rank promotions, shall be in line with the organizational structure of the DPS and with the authority delegated in the officers mentioned above.
3. The Assistant Secretary of the DPS will be the superior officer on DPS policies for the personnel issues and will provide the supervision of the implementation of the drafting, procedures, goals, the architecture, and the norms of the promotions policies of rank officers from Inspector to Colonel, and pursuant to the Promotions Protocol, which for said purpose is adopted by the Commissioner of the PRPB.
4. The Executive Director of the Legal Affairs Office of the DPS will be the person who, after the request, will review the adoption and amendments of the policy of selection adopted by the Secretary, as well as the promotions protocol that the Commissioner adopts, to verify the legality of what is therein stated.

### **B. Job Announcement**

1. The Commissioner will determine, after the authorization of the Secretary of the Department of Public Safety (DSP), and according to the needs of service, the number of positions by rank that are available for promotions, subject to the availability of funds and the approval of the fiscal agencies of the government, included the Puerto Rico Budget and Management Office ("BMO"), the Assistant Secretary of Management and Administration of the DPS, and the Human Resources and Labor Relations Office of the DPS.

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

Each one of which must certify that in fact vacancies exists, which is necessary to fill those vacancies and that a budget exists to fill them.

2. Once it is determined that the vacancies exist and that the budget is certified, the Human Resources and Labor Relations office of the DPS will publish a job announcement internally where the MPRPB will be informed of the availability of vacancies for the rank of Inspector, Commander, Lieutenant Colonel, and Colonel. Said job announcement will be based on the Description of Employee Functions, Duties and Responsibilities Handbook of the Rank System from April 20, 2020, and will include the relevant dates, a description of the application process, and the minimum requirements in order to apply for said positions, including the documents that must be submitted.
3. The Commissioner will designate the personnel assigned to the Commissioner's Office, who will receive the files of the candidates and will evaluate initially if they comply with all the requirements established in the job announcement, and if all the necessary documents were submitted. Thus, every candidate for promotion who is interested in participating in the job announcement, must meet all the requirements established and file an electronic record to the digital address provided in the job announcement. The candidate can submit the documents the candidate believes relevant as of the deadline established in the job announcement.
4. After ensuring that the candidate files for promotions are complete, the Commissioner's Office, will send the files of all the candidates to the Department of Public Safety using address [convocatorias@dsp.pr.gov](mailto:convocatorias@dsp.pr.gov). It will be the Human Resources and Labor Relations Office of the DPS the one responsible of performing the adequate evaluation of the documents submitted by each candidate, in accordance to this Protocol and Agreement.
5. Every promotion candidate shall comply with the requirements of the rank to be promoted to and shall submit with the application the following documents as required in the job announcement, in or prior to the deadline therein indicated.
  - a. Promotion Application Memorandum- In this memorandum the candidate shall explain the reasons for which he/she believes that he/she is the ideal candidate for the promotion.
  - b. Resume- The information must be included on academic preparation, experience in and out of the PRPB, certification, trainings, history in the PRPB including current duties.
  - c. Tax Return filing certification from the Puerto Rico Treasury Department for the last five (5) years.
  - d. No Tax Debt certification; in case of having any debt evidence must be presented of a payment plan.
  - e. Child Support (ASUME) compliance certification.
  - f. Compliance certificate of the last biennial period concluded from the Government Ethics Office (GEO).

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

- g. Compliance certificate of the training requirements required by the process for a sustainable reform issued and certified by the Assistant Superintendent's Office in Education and Training.
- h. Copy of the last three (3) performance evaluations of the candidate certified by the Evaluation Division of the Human Resources Bureau of the PRPB.
- i. Evidence of no administrative complaints in process and/or without any final resolution. Those candidates with complaints of serious violations in process, will not be considered for the promotion. The candidates who have administrative complaints for: domestic violence, fraud, violations of civil rights (excessive use of force, unreasonable search and seizures, discrimination, among others) will not be considered for promotions. The Members of the PRPB who have been sanctioned for serious violations will not be eligible for promotions for a period of one (1) year. The non-eligibility period for promotions will begin to count immediately after the sanction imposed has been complied with. From the moment the sanction is decreed and while the non-eligibility period lasts there will be no right to apply to be considered for promotion. For this criteria the following documents will be considered:
  - 1. Complaints Certification from the Assistant Superintendent's Office on Professional Responsibility (Clear) and candidate Complaints History.
  - 2. Complaints Certification from the Legal Affairs Office (Clear) and candidate complaints history.
  - 3. Certification form the Appointments Division and Changes of the Human Resources Bureau of the PRPB where it is reported that the candidate is not impeded due to any disciplinary proceeding.
- j. Not submitting the required documents in or prior the deadline established in the job announcement will be reason to automatically disqualify the candidate. No files will be accepted that as of the date of submittal do not have all the required documentation. Documents submitted to other work units of the PRPB will not be considered. The Human Resources and Labor Relations Office of the DPS will prepare a list of the eligible candidates.
- k. The Human Resources and Labor Relations Office of the DPS will issue to the Inspector to Colonel rank Selection Board a certification that contains the name of the candidates that submitted all the documents required through the job announcement and of those that did not comply with submit all the documents or those who did not submit them in the required time, together with the documents of each applicant.

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

1. Every candidate who submits false information knowing it is false, or omits submitting information that should be considered by the Board, with the purpose of being considered for the promotion, will be sufficient reason to be disqualified from the process.

**C. Minimum Requirements to qualify for the Promotion**

1. The officers will be considered eligible to be considered by a Inspector to Colonel Rank Selection Board, as established in this Protocol and prescribed by the Secretary of the DPS, in coordination with the Commissioner of the PRPB, in a job announcement for the ranks specified from Inspector to Colonel.
2. It will be stated in the job announcement the years of experience in the active rank that a candidate should have at the time of applying for the promotion. As a minimum, the officers should have one (1) year in current rank to be considered for the rank promotion from Inspector to Colonel.
3. To be considered for a promotion by a Inspector to Colonel rank Selection Board an officer should be in the active availability list in the PRPB the day the Board meets.
4. The officers of the following categories are not eligible to be considered by the Inspector to Colonel rank Selection Board:
  - a. Officers whose retirement date is established by the PRPB is within the 90 days as of the date of the board's job announcement.
  - b. Officer who voluntarily opts to not participate or be considered in the promotion process.
5. Each candidate should meet the criteria of eligibility for the promotion established in the job announcement and in this Protocol.

**D. Inspector to Colonel Promotion Selection Board**

**1. Selection Board**

- a. As long as the PRPB need for service require it, the Secretary, with the counsel of the Commissioner, will designate the members of the Selection Board to recommend the officers for promotion of the ranks from Inspector to Colonel, according to this Protocol.
- b. The Secretary, with the counsel of the Commissioner, will establish the requirements to be a part of the Selection Board for Inspector to Colonel rank promotions.

**2. Composition of the Selection Board**

- a. The Selection Board for the ranks from Inspector to Colonel will be comprised by at least three (3) representatives from the PRPB and two (2) members of the DPS. In the future a civilian will be included who can provide feedback on this person will be a [sic]
- b. None of the members can be the Commissioner of the PRPB or the Secretary of the DPS or the Assistant Secretary of Management and Human Resources.

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

- c. The Secretary of the DPS, will appoint a member of the Inspector to Colonel rank Selection Board as President of the Board and will prescribe management tasks that this officer must carry out.
- d. The President of the Board does not have the authority to impede the Board from recommending for promotion those officers who the majority considers are qualified to satisfy the needs of the PRPB.
- e. The members of the Inspector to Colonel rank Selection Board, who are representatives of the PRPB will be two MPRPB with a rank of Colonel and a civilian employee designated by the Commissioner.
- f. The members of the Board must not have administrative complaints pending related to violations to civil rights, domestic violence, or any issue that goes against their credibility and professional ethics. Likewise, none of the members of the Board can have complaints that have been proven, notwithstanding the time transpired, for domestic violence or violation of civil rights.

### **3. Registrars**

- a. The Assistant Secretary of Management and Human Resources of the DPS will designate the officers who will have the responsibility as registrars of the Inspector to Colonel rank Selection Board.
- b. The registrar will have the responsibility to document and take minutes of all the activities that the Selection Board perform when in official duties, in accordance to this Protocol.
- c. At least one registrar shall be present during all the deliberations of the Inspector to Colonel rank Selection Board. The designation of the registrars will be subject to the following restrictions:
  - 1. The registrars can be civilian personnel or MPRPB who are not candidates for Inspector to Colonel rank Promotions.
  - 2. Any registrar of the Inspector to Colonel rank Selection Board who cannot in good conscience comply with their duties and responsibilities, has the duty to request to be relieved by the Secretary of the DPS.
  - 3. Any member or registrar of the Inspector to Colonel rank Selection Board who believes that the integrity of the proceedings has been affected by improper influence, be it of an employee of the DPS, of the MPRPB, or a third party, or due to bad behavior of any member of the Board, or any other reason, has the obligation to notify it immediately to the Secretary.

### **4. Conduct of the Members of the Selection Board**

- a. The members eligible to participate in the Inspector to Colonel rank Selection Board must have the professional characteristics and reflect the values that the MPRPB and the DPS consider of sum importance. Therefore, the Secretary of the DPS and the



[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

Commissioner of the MPRPB will ensure that all the nominated for duties on the Board with the utmost standards that are expected from the members of the Board.

- b. The members of the Inspector to Colonel rank Selection Board will ensure the selection process is fair and will seek the guidance of the authority whom calls for the process, or its designee, if questions arise on the adequate personal conduct. In addition, the members of the board who have suspicions of irregularities that could influence negatively in the proceedings of the board, will immediately inform this information to the Secretary, or its designee. Any member of the board who cannot in conscience, carry out the responsibilities as a member of the board, without prejudice or bias, has the obligation to request being relieved from the nominating authority or its designee.
- c. The members of the Inspector to Colonel shall comply with the following:
  1. They will not receive or introduce to the deliberations any information, positive or negative, regarding an officer under consideration of the board.
  2. They will not participate in, or give the appearance of, preferential treatment to any individual or group of officers under consideration.
  3. They will not divulge details of the deliberation process (that is not a generalized description of the procedures of the board) prior, during, or after the board to external parties, be them superiors or subordinates to the officer of the board, except as specifically indicated by the Secretary of the DPS or its representative.
  4. They will not reveal the results of the board prior to the official publication the members selected.
  5. They will not reveal their participation in a Selection Board; for example, perform informal visits to the office or social visits close to the deliberations of the board or inform the superiors (who are not part of the immediate chain of command), subordinates, or colleges on the condition as a member of the board until the Secretary of the DPS acts on the results of the board.
  6. They cannot request information or guidance from the members of the PRPB or the DPS, other command representatives of the PRPB or the DPS regarding the individual officers or groups of officers under consideration, unless authorized in the written or verbal instructions to the board.
  7. The members of the Inspector to Colonel rank Selection Board will take an oath to perform their duties without prejudice or bias, and will evaluate all the candidates

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

according to requirements established in this Protocol, the policies of the PRPB and the Agreement.

**5. Instructions to the Selection Board**

- a. The Secretary of the DPS will establish the duties and responsibilities of the members of the Board through an Instructions Memorandum (MOI). In addition, in said MOI it will be established the specific requirements that have to be taken into consideration at the time of evaluating the candidates for promotion.
- b. The President of the board will review and discuss the MOI with all the members of the board once it is established and prior to beginning their duties.
- c. The MOI issued to each member of the Inspector to Colonel rank Selection Board will specify the following:
  1. The oath that the members of the board must take.
  2. Reports that must be done.
  3. The selection method. (See Evaluation and Interview Section)
  4. Factors to consider, including the needs of the PRPB in each area.
  5. The maximum number of officer who will be chosen.
  6. Any other information that is required.
- d. The MOI will contain guidelines to ensure that:
  1. There will be no discrimination against any candidate for promotion, due to sex, gender, color, race, sexual orientation, social condition, political ideas, religious beliefs, and any other type of discrimination prohibited by state and/or federal statutes.
  2. All the members of the PRPB and the DPS shall be the example of leadership and subordination, be alert to inspect the conduct of all the persons who are under their command; watch for and notify all improper conduct, and correct, according to the regulations of the PRPB and the DPS, for all persons who incur in them; and take all the necessary and adequate measures, to promote and safeguard the wellbeing of the Agency, the physical wellbeing and the general wellbeing of the officer and agents under their command or charge.
  3. The boards can also receive information on management and endeavor issues of personnel as determined by the Secretary of the DPS. They will not receive further instructions except to clarify the management of the board.
- e. Other information
  1. The Assistant Secretary of Management and Human Resources of the DPS will ensure that each member of the Inspector to Colonel rank Selection Board receives a copy of



[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

the applicable parts of this regulation, for its review prior to the Board meeting. The Inspector to Colonel rank Selection Boards will also be provided the following:

- i. The names of all the officers who will be considered for the promotion of Inspector through Colonel rank.
  - ii. The professional binder, included the documents previously identified in this Protocol.
2. The following additional information can be provided as necessary:
- i. Results approved by the prior selection boards, when the board requests it.
  - ii. Administrative information to clarify the official registries. The instructions and the information provided to the Board. If one board requests non-administrative information or information that reflects the conduct or the character of an officer under evaluation, specifically, the request will be denied.
3. Communications with the Inspector to Colonel rank Selection Board
- i. All the communications, that are not of an exclusively administrative nature, will be in writing, will be submitted to all the member of the board and will form a part of the registry of the Board.
  - ii. An audio recording or video is an acceptable means of communication with the board as long as a written transcript is included in the registry of the board.
  - iii. No one, besides the DPS, will appear in person to address an Inspector to Colonel rank Selection Board on any issue; this authority cannot be delegated. If the Secretary of the DPS appears in person to address to an Inspector to Colonel rank Selection Board, a literal written transcript will be provided of the Secretary's comments to each one of the members of the board and will be included in the registry of the board.
  - iv. Oral communication of routine administrative information between board members, registrars, and support personnel is authorized in the manner necessary to facilitate the work of the board.
  - v. No one can appear, personally before an Inspector to Colonel rank Selection Board, the Assistant Secretary of Management and Human Resources of the DPS, the Secretary of the DPS and/or the Commissioner, in their own name or in the interest

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

- of any officer being considered, without having been previously summoned for an interview.
4. The officers eligible for consideration can write to the board to provide information and documents (such as attachments) calling attention to any issue relevant to them and which are considered important for their consideration. They must submit a copy of this document and the documents related the day of the interview and evaluation.
  5. The written memorandums sent to the Inspector to Colonel rank Selection Board will be considered if they are received prior to the date the board meets. The board will only see a letter addressed to the board, with attachments, for official consideration for selection.
  6. The memorandums shall be addressed to the President (Inspector to Colonel rank Selection Board) , Capital Center Building, North Tower, 235 Arterial Hostos Ave. 14<sup>th</sup> floor, Hato Rey, P.R. 00918. Any memorandum considered by a promotion board will become a registry issue that will be maintained with the registries of the board.
  7. The following elements will not be submitted to the Inspector to Colonel rank Selection Board:
    - i. Memorandums sent directly to the Board by other parties in name of any officer, except when provided as an attachment to a memorandum of the officer that is being considered for selection.
    - ii. Evaluation reports that have not been processed through the PRPB Commissioner's Office and the Assistant Secretary of Management and Human Resources of the DPS.
    - iii. Photographs that cannot be used as admissible photographs and that can be authenticated pursuant to what is provided in the Puerto Rico Rules of Evidence.
  8. No member of the PRPB and or the DPS can communicate with a member of the Board in an attempt to influence the decision of the Board member. The violations of this prohibition can result in a disciplinary procedures under the applicable Personnel Regulations and pursuant to what is provided by Public Law 1-2012, as amended, known as "*The Organic Act of the Puerto Rico Government Ethics Office*".
  9. All the communications with the Inspector to Colonel rank Selection Board to express the points of view of the Secretary of the DPS or the Commissioner of the PRPB, or other superior leaders of the Government of Puerto Rico or the Government of the United States, will be put in writing,

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

will be handed to each one of the Board members and will form a part of the registry of the Board.

**6. Candidate Evaluation and Interview**

- a. The Board will conduct an interview and evaluation of the file submitted as a part of the requirements of the job announcement, where the following criteria will be evaluated:
  1. General Questions
  2. Knowledge
  3. Planning and Organization
  4. Management
    - i. Leadership
    - ii. Supervision
  5. Interpersonal Relations Skills (Communication)
  6. Community Policing
  7. Ethics
  8. Knowledge of the Reform Agreement, its programs, trainings, and its endeavors in the implementation of these.
- b. For the evaluation of the criteria stated above the Board will evaluate the candidates in two stages:
  1. Evaluation of the file
  2. Interview of the candidates using Attachment A of this protocol.

First Stage: Evaluation of the File:

1. In the first stage, the Board will consider the documents submitted by the candidate for promotion for evaluation, among others:
  - a. Complete documents
  - b. Candidate skills shown through the following:
    - i. Satisfactory performance evaluations;
    - ii. Acknowledgments and merits;
    - iii. Exemplary service registry.
  - c. Compliance with the training programs required by the PRPB or external entities, included the Police Academy.
  - d. Compliance with the obligations of the rank occupied, with the general accepted practices of the police, and with the internal policies and regulations of the PRPB and ethics.
  - e. Management, supervision, and leadership.
  - f. Community participation and interaction.
2. Having evaluated the documents, the Board will determine if the candidate qualifies for the rank to be promoted and the recommendation will be made for the second stage.

Second Stage: Interviews:

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

- a. In the second stage, the Board will conduct interviews of the candidates to focus on the additional skills of the candidate which cannot necessarily be seen in the documents reviewed, such as:
  - i. Capacity and skill in the planning, supervision, and management of administrative, work, tactical, and strategic plans;
  - ii. Supervision and management techniques of the candidate;
  - iii. Knowledge of the requirements and obligations of the rank the candidate aspires to be promoted to;
  - iv. Knowledge of the internal policies of the PRPB and regulations, among others;
  - v. Knowledge of the Reform Agreement, its programs, trainings, and endeavors in the implementation of these;
  - vi. Skills and abilities that make the candidate be the ideal one for the rank applied.
- b. An instrument with guide questions will be used for each rank in the interviews. The interviews will be conducted in a neutral environment free from interruptions and equal conditions for all candidates.
- c. Those candidates that the Board determines, after the interview, do not qualify for the promotion will automatically be withdrawn from the process. The Board will prepare a Memo which identifies the candidates who did not qualify for the promotion and the reasons for which they were disqualified. Said Memo will be given to the Commissioner together with the candidates that did qualify for the promotion.
- d. The Board will proceed to prepare Lists of Candidates by rank that includes the names of those candidates that the Board determined qualified for the corresponding promotion and those that did not qualify. The general information will be included on the result of the evaluation, the interview, and the reason for which the candidate is qualified or not qualified.
- e. The Board will send the Candidate List to the Commissioner for a final evaluation of the candidates. The Commissioner will perform his own evaluation of the candidates and select the final candidates who will be presented to the Governor for approval of the respective promotions. For this evaluation the Commissioner will take into account the criteria established in this Protocol and Reform Agreement.

## 7. Score Rubric

- a. The candidates who obtain the percentage equal or greater than seventy percent (70%), will be referred for promotion, as established in the prior table, the documents submitted, and the requirements established by the Agreement for the Sustainable Reform of the Puerto Rico Police.
- b. The Board will catalogue the candidates as: Highly Qualified, Better Qualified, and Qualified, according to the table that is included below:

<b>Highly Qualified</b>	<b>90%-100%</b>
<b>Better Qualified</b>	<b>80%-89%</b>
<b>Qualified</b>	<b>70%-79%</b>

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

- c. The maximum score for each evaluation area will be five (5) points. Ten (10) areas of evaluation , for a total of fifty (50) points.
- d. To obtain the percentage of the result of the total score obtained by the candidate and will be divided by fifty (50). The result of the division will be multiplied by one hundred (100).
- e. To obtain the final percentage, the result of all the evaluators will be added and will be divided by their total.
- f. The Committee will evaluate the candidates and will submit to the Secretary and the Commissioner a list of the candidates who comply with the percentage established in this Protocol.
- g. For this evaluation the Attachment of this protocol will be used, titled: "Score Rubric for Promotions for the Ranks of Inspector through Colonel."
- h. The Commissioner will submit to the Secretary the candidates for promotion, according to the positions available previously identified in the job announcement and the results of the Board. These candidates will be submitted to the Governor for evaluation and final approval.
- i. The Board can provide additional score to the candidates who comply with the following requirements:

<b>Maximum Academic Degree Achieved</b>	
<b>Doctorate</b>	9 points
<b>Master's or <i>Juris Doctor</i></b>	6 points
<b>Heroic Act</b>	3 points
<b>Veteran</b>	10 points

- j. When the employee qualifies for an additional score under more than line, only one of these will be applied, whichever is greater.
- k. The additional points for academic degrees, will only apply when the degree required in the job announcement is less than the one the candidate has.

## **8. Recommendations from the Selection Board**

- a. The Inspector to Colonel rank Selection Board:
  - 1) Will base their impartial recommendations toward all the officers in the consideration zones as indicated in the MOI.
  - 2) Will maintain confidential its reasons to recommend or not recommend any officer considered. Will not share confidential information with third parties, who are not a part of the Board.
- b. No PRPB officer, member of the DPS or the Government of Puerto Rico or the United States can do the following:
  - 1) Order that a specific person is selected or not, by the Board.
  - 2) Censure or reprimand the board or any member of the board regarding the recommendations of the board and any duty that is in the board's functions.
  - 3) Attempt to coerce or influence any action of the board or of any member of the board in the drafting of the recommendations of the council.
- c. The reports of the Inspector to Colonel rank Selection Board will comply with the following requirements:

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

- 1) All the officer considered for the promotion should be evaluated and recommended or not recommended for the promotion.
- 2) When completing their deliberations, the members of the board and the registrars, as a minimum, will certify in the report to the Secretary of the DPS that:
  - a) The Board complied with the MOI and this regulation.
  - b) Was not subject to any censure or reprimand as a result of the recommendations of the board or the performance of any legal duty within the board's functions.
  - c) Was not subject or had knowledge of any attempt to coerce or influence in the drafting of the recommendations of the board.
  - d) Was not part of or had knowledge of any attempt to perform unauthorized communications.
  - e) The board considered carefully the registries of each one of the officers whose name was provided to the board.
  - f) The officers recommended for promotion from the rank of Inspector through Colonel are, in the opinion of the majority of the members of the board, qualified for the promotion to meet the needs of the PRPB, among those qualified officers whose names were provided to the board.
  - g) The officers recommended for promotion for the rank of Inspector through Colonel, included those who received adverse information provided to the board, are, in the opinion of the majority of the members of the board, totally qualified or better qualified for the promotion to meet the needs of the PRPB and meet the requirements of exemplary conduct, as indicated in the written instructions provided to the board by the Secretary of the DPS.
- 3) In addition to the requirements of prior reports, the promotion boards will also inform the Secretary of the DPS and the Commissioner of the DPS the name of any officer that for any reason shall be referred for administrative investigation.
- 4) Be signed by all the members of the board.
- d. The processes of the board will not be divulged to anyone who is not a member of the board unless approved by the corresponding authority.
- e. After finishing the process, and when a candidate has not been recommended by the Board, the reasons will be notified to this candidate, with the purpose of professional improvement.

#### **9. Approval of the recommendations of the Inspector to Colonel rank Selection Board**

- a. The Inspector to Colonel rank Selection Board will perform the recommendations to the Commissioner. The qualified candidates will not have an order or specific preference for the promotion.
- b. The Commissioner will select the candidates who qualify according to what the Board reports, and will issue a list of selected candidates to the Secretary for final approval.
- c. The Secretary and the Commissioner will submit the list of candidates to the Governor.
- d. The Governor can choose any of the candidates who are submitted to the Governor in the list of qualified candidates for promotion.



[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

#### **10. Lists of promotions and reports of the Inspector to Colonel rank Selection Board**

- a. A list of candidates will be created of the candidates who qualify for the ranks they applied to. This list will not have a specific order for the candidate to be promoted.
- b. The name of any officer considered and selected erroneously for rank promotion from Inspector to Colonel will be removed administratively from the list of promotions by the Assistant Secretary of Management and Human Resources of the DPS. The name of the officer will remain in the report of the board unless the Secretary of the DPS officially eliminates it.
- c. The report of each Promotion Board for the rank of Colonel will be submitted to the Secretary of the DPS and the Commissioner. The Commissioner will submit those selected for Promotion to the Secretary, for its later subsequent approval and sending to the Governor.
- d. If, after the review of the Secretary of the DPS determines that the board acted contrary to the law or regulation or the guidelines provided to the board, the Secretary of the DPS will return the report, together with an explanation of the determination, to the board for future proceedings. When receiving the returned report, the board will make the corrections made by the Secretary of the DPS or will carry out the procedures necessary, including carrying out a new board, with the objective of the report being consistent with the law, the policies of the PRPB and the Agreement. After making the changes required, the editions, or the new processes of the board, if necessary, the board will again send the report, revised, to the Secretary of the DPS for its approval. Returned reports that require the integration of a new board, or new members to the board, it will be carried out according to the regulation and the guidelines provided to the board without taking into account the report of the prior board.
- e. If the Secretary of the DPS, the Commissioner, or any member of the Board, finds out that the candidate lied, ignored, or manipulated information to be considered for the promotion, the candidate will be referred to an administrative investigation and will be disqualified from the promotion process.
- f. When the results of the promotion board are published to the PRPB Commissioner's Office, the Commissioner will do the following immediately:
  - (1) Inform each eligible officer, selected or not selected, of the specific results.
- g. An officer who is on a promotion list and withdraws from active duty from the PRPB before the effective date of the promotion, the officer will not be promoted. A later return to duty in the PRPB does not ensure a return to the promotion list in effect prior to being separated from duty in the PRPB.

#### **VI. Evaluation of the Promotion Process**

- a. The Secretary of the DPS, or its designee, in coordination with the Commissioner, shall review annually the content of the administrative reports to ensure the efficiency and transparency of the Promotions process.
- b. Each year, interviews will be done randomly with the presidents of the Inspector to Colonel rank Selection Board, members of the Inspector to Colonel rank Selection Board, registrars or administrative support personnel to ensure that the Inspector to Colonel rank Selection Board are performed according to the provisions, regulations, policies, and applicable protocols.

[CERTIFIED TRANSLATION] I, Carlos Laó Dávila, a Federally certified interpreter, number 03-052, hereby certify that the attached document is a true and exact translation of the original, translated or certified by me.

## **VII. General Provisions**

### **A. Interpretation**

1. The words and phrases used in this protocol will be interpreted according to the context and the meaning sanctioned by the common and everyday use.
2. The terms used in this protocol in the future also include the present; the ones used in the male gender also include the female gender and neutral, except the cases in which such interpretation is absurd; the singular includes plural and the plural includes singular.
3. If the language employed is susceptible to two or more interpretations, it must be interpreted to further the purposes of this protocol General and part of section or specific item subject to interpretation.

### **B. Compliance**

1. It will be the responsibility of the employees of the DPS, Assistant Commissioners, Area Commanders, Bureau Directors, Offices, Divisions, Districts, and Precincts to promote and encourage the faithful compliance with this protocol.
2. All employees will have the obligation to comply with the provisions of this protocol and report to their immediate supervisor or superior in the rank system, on any violation to these norms. Any act or omission that violates the provisions of this protocol will be referred and investigated by the Assistant Superintendent's Office of Professional Responsibility pursuant to the applicable norms.

### **C. Repeal**

This protocol repeals any other protocol, internal regulation, norms, verbal communication or written communication or parts of it that come into conflict with this one.

### **D. Duration**

This protocol will come into effect on \_\_\_\_\_ of \_\_\_\_\_, 2021.

### **E. Approval**

Approved in San Juan, Puerto Rico, today \_\_\_\_\_ of \_\_\_\_\_, 2021.

**Colonel Antonio López Figueroa**  
Commissioner

**Alexis Torres Ríos**  
Secretary